UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SHERRI L. GANGITANO, Plaintiff, v. PORTFOLIO RECOVERY ASSOCIATES, LLC, a Delaware limited liability company; MACHOL & JOHANNES, PLLC d/b/a MACHOL & JOHANNES, LLC, a Washington professional limited liability company; and ROGER RAHLFS, Defendants.	NO. CV-13-033-LRS **NOTICE OF REMOVAL**

TO: THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

PLEASE TAKE NOTICE that Defendant Portfolio Recovery Associates, LLC ("PRA"), by and through its undersigned counsel, hereby removes the State Court Action in Spokane County that is evidenced by the Summons and Complaint that comprise Exhibit A to the concurrently-filed Attorney Verification Regarding State Court Action. To the best of PRA's knowledge, Plaintiff has not filed the Summons or Complaint, but these documents have been served on PRA and, thus, commenced an action under Washington law. Defendant PRA

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removes the State Court Action to the United States District Court for the Eastern District of Washington pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

GROUNDS FOR REMOVAL

On or about December 24, 2012, Plaintiff Sherri L. Gangitano ("Plaintiff" or "Gangitano") served on Defendant PRA a Summons and Complaint captioned *Gangitano v. Portfolio Recovery Associates, LLC, et al.*, by which service an action was commenced in the Superior Court of Washington for Spokane County pursuant to Washington Court Rules 3(a) and 4 (the "State Court Action"). True and correct copies of the Summons and Complaint are Exhibit A to the concurrently-filed Attorney Verification Regarding State Court Action.

The Complaint alleges, *inter alia*, (1) a claim against Defendant PRA for alleged violation of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.*; and (2) a claim against Defendant PRA for alleged violation of the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227 *et seq.*

This Court has original jurisdiction over claims under the FDCPA and it has concurrent jurisdiction over claims under the TCPA. 15 U.S.C. § 1692k(d); *Mims v. Arrow Financial Services, LLC*, __ U.S. __, 132 S.Ct. 740, 745, 181 L.Ed.2d 881 (2012). Accordingly, this action arises under federal law and is removable to this Court pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

PROCEDURAL REQUIREMENTS

1. This Notice of Removal is signed pursuant to Fed. R. Civ. P. 11, in accordance with 28 U.S.C. § 1446(a).

2. Defendant PRA states that, to its knowledge, there is no existing court docket for the State Court Action because Plaintiff has not filed her Summons and Complaint. Pursuant to 28 U.S.C. § 1446(a), "a copy of all process, pleadings, and orders served upon" Defendant PRA (*i.e.*, the unfiled Summons and Complaint) are attached as Exhibit A to the concurrently-filed Attorney Verification Regarding State Court Action.

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3. Pursuant to 28 U.S.C. § 1446(d), Defendant PRA will promptly serve a copy of this Notice of Removal on counsel for Plaintiff, and will file a Notice of Filing of Notice of Removal with the Clerk of the Superior Court of Washington for Spokane County.

4. By removing this matter, Defendant PRA does not waive, and expressly preserves, any and all defenses that it may have.

DATED: January 18, 2013.

SAVITT BRUCE & WILLEY LLP

By *_/s/ Stephen C. Willey_*

By *_/s/ Duncan E. Manville_*

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